

JAP:ALC

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

**M-10-1404**

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UNITED STATES OF AMERICA

C O M P L A I N T

- against -

(21 U.S.C. §§ 952(a)  
and 960)

CLARK DANIEL YANEZ SAGASTEGUI,

Defendant.

- - - - -X

EASTERN DISTRICT OF NEW YORK, SS:

CHRISTOPHER HERZOG, being duly sworn, deposes and states that he is a Special Agent of the United States Department of Homeland Security, Homeland Security Investigations, duly appointed according to law and acting as such.

Upon information and belief, on or about November 24, 2010, within the Eastern District of New York and elsewhere, defendant CLARK DANIEL YANEZ SAGASTEGUI did knowingly, intentionally and unlawfully import into the United States from a place outside thereof a substance containing cocaine, a Schedule II controlled substance.

(Title 21, United States Code, Sections 952(a) and 960).

The source of your deponent's information and the

grounds for his belief are as follows:<sup>1</sup>

1. On or about November 24, 2010, CLARK DANIEL YANEZ SAGASTEGUI arrived at John F. Kennedy International Airport in Queens, New York, aboard Lan Ecuador Flight 530 from Lima, Peru.

2. Defendant CLARK DANIEL YANEZ SAGASTEGUI was selected for a Customs and Border Protection ("CBP") examination. The defendant presented for inspection one black "Snowball" suitcase with baggage tag # Lan417780. The defendant possessed a matching baggage claim check and answered in the affirmative when asked if the suitcase and all of its contents belonged to him.

3. During the subsequent inspection of the defendant CLARK DANIEL YANEZ SAGASTEGUI's suitcase, CBP officers found a multicolor knitted purse that felt unusually thick and heavy. The lining of the purse was probed to reveal a powdery substance that field-tested positive for the presence of cocaine.

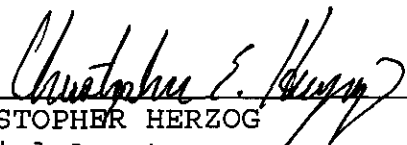
4. Further inspection of the defendant CLARK DANIEL YANEZ SAGASTEGUI's suitcase revealed eight additional multicolor knitted purses (for a total of nine purses) and two pillows that felt unusually thick and heavy. When probed, these items also revealed a powdery substance that field-tested positive for the presence of cocaine. The total approximate gross weight of the

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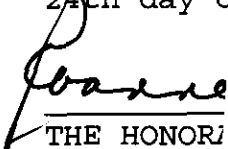
<sup>1</sup> Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause, I have not described all the relevant facts and circumstances of which I am aware.

cocaine found in the above-described nine purses and two pillows is 3,576.7 grams.

WHEREFORE, your deponent respectfully requests that defendant CLARK DANIEL YANEZ SAGASTEGUI be dealt with according to law.

  
CHRISTOPHER HERZOG  
Special Agent  
U.S. Department of Homeland Security

Sworn to before me this  
24th day of November, 2010

  
THE HONORABLE  
UNITED STATES JUDGE  
EASTERN DISTRICT OF NEW YORK

S/Mann

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